

HOOTAN TROY FARAHMAND (SBN: 230345)
3575 Cahuenga Bl. West, #580
Los Angeles, CA 90068
Telephone: (310) 560-0606
Facsimile: (310) 829-0225
Email: Htf@HtfLawFirm.com

Attorneys for Plaintiff
STAR FABRICS, INC.

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

STAR FABRICS, INC., a California
corporation,

Plaintiff,

vs.

SEARS ROEBUCK and co.; et al.

Defendants.

Case No. 12-CV-08397-PSG-MRW

**DECLARATION OF HOOTAN TROY
FARAHMAND RESPONDING TO
JUDGES ORDER TO SHOW CAUSE
WHY THIS ACTION SHOULD NOT BE
DISMISSED FOR LACK OF
PROSECUTION.**

DECLARATION OF HOOTAN TROY FARAHMAND

I, HOOTAN TROY FARAHMAND, declare as follows:

1 1. I am an attorney licensed to practice law in the state of California and am
2 one of the attorneys of record for Plaintiff Star Fabrics, Inc. in the instant action.

3 2. If called up to testify, I could and would so competently based upon my
4 personal knowledge herein.

5 3. We are confused with this order given we are currently waiting for a new
6 Scheduling conference, which was previously vacated and scheduled for April 8,
7 2013.

8 4. On April 4, 2013 document 43 Honorable Judge Gutierrez filed an order
9 to show cause for improper joinder and then vacated the scheduling order (attached
10 hereto as EXHIBIT 1")

11 5. On April 16, 2013 document 48 we filed a stipulation to dismiss all parties
12 unrelated to print 40470 so make the improper joinder moot (attached hereto as
13 EXHIBIT 2")

14 6. On April 17, 2013 document 49 we filed declaration response to the Order
15 to Show cause (attached hereto as EXHIBIT 3")

16 7. On April 24, 2013 document 51 Honorable Judge Gutierrez discharged the
17 Order to Show Cause. (attached hereto as EXHIBIT 4")

18 8. Given the dismissal of the Order to show cause on April 24, 2013 all
19 parties were waiting for a new scheduling order or any order that authorizes the
20 parties to proceed with a Motion for Summary Judgment.
21

22
23 Executed on June 20, 2013 at Los Angeles, California

24
25 
26 _____
27 Hootan Troy Farahmand
28

EXHIBIT 1

Case 2:12-cv-08397-PSG-MRW Document 34 Filed 04/04/13 Page 4 of 21 Filed #174
**Activity in Case 2:12-cv-08397-PSG-MRW Star Fabrics Inc v. Sears Roebuck
and Co et al Order to Show Cause**

cacd_ecfmail@cacd.uscourts.gov <cacd_ecfmail@cacd.uscourts.gov>
To: ecfnf@cacd.uscourts.gov

Thu, Apr 4, 2013 at 2:30 PM

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

NOTE TO PUBLIC ACCESS USERS There is no charge for viewing opinions.

UNITED STATES DISTRICT COURT for the CENTRAL DISTRICT OF CALIFORNIA

Notice of Electronic Filing

The following transaction was entered on 4/4/2013 at 2:30 PM PDT and filed on 4/4/2013

Case Name: Star Fabrics Inc v. Sears Roebuck and Co et al

Case Number: 2:12-cv-08397-PSG-MRW

Filer:

Document Number: 46

Docket Text:

(IN CHAMBERS): Order to Show Cause re: Improper Joinder by Judge Philip S. Gutierrez. The Court orders Plaintiff to show cause in writing no later than April 25, 2013 why the Court should not dismiss without prejudice all but the first named Defendant on the grounds of improper joinder of parties. Failure to respond by the above date will result in the Court dismissing this action. Further, the Scheduling Conference on the Court's calendar for April 8, 2013 is VACATED pending Plaintiff's response to this Order to Show Cause.(smo)

2:12-cv-08397-PSG-MRW Notice has been electronically mailed to:

Hootan Troy Farahmand emlague@gmail.com, htt@htflawfirm.com

Reid E Dammann j.turgeon@mpglaw.com, r.dammann@mpglaw.com

Soohyun Calvin Myung scalvinmyung@sbcglobal.net

2:12-cv-08397-PSG-MRW Notice has been delivered by First Class U. S. Mail or by other means BY THE FILER to :

EXHIBIT 2

Case 2:12-cv-08397-PSG-MRW Document 34 Filed 06/20/13 Page 6 of 21 Filed #176
Activity in Case 2:12-cv-08397-PSG-MRW Star Fabrics Inc v Sears Roebuck and Co et al Stipulation to Dismiss Party

cacd_ecfmail@cacd.uscourts.gov <cacd_ecfmail@cacd.uscourts.gov>
To: ecfnf@cacd.uscourts.gov

Tue, Apr 16, 2013 at 5:28 PM

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

*****NOTE TO PUBLIC ACCESS USERS***** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

UNITED STATES DISTRICT COURT for the CENTRAL DISTRICT OF CALIFORNIA

Notice of Electronic Filing

The following transaction was entered by Farahmand, Hootan on 4/16/2013 at 5:28 PM PDT and filed on 4/16/2013

Case Name: Star Fabrics Inc v. Sears Roebuck and Co et al
Case Number: 2:12-cv-08397-PSG-MRW
Filer: Star Fabrics Inc
Document Number: 48

Docket Text:

STIPULATION to Dismiss defendants Con Te Inc, Dowel Tex Inc, Mouris Elyahoozadeh, Image Boutique, Traben USA Inc, Triple Textile Inc filed by plaintiff Star Fabrics Inc. (Attachments: # (1) Proposed Order)(Farahmand, Hootan)

2:12-cv-08397-PSG-MRW Notice has been electronically mailed to:

Hootan Troy Farahmand http@htflawfirm.com, emlague@gmail.com

Soohyun Calvin Myung scalvinmyung@sbcglobal.net

2:12-cv-08397-PSG-MRW Notice has been delivered by First Class U. S. Mail or by other means BY THE FILER to :

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:C:\makepath\Stip to Dismiss Calvin's atty.pdf

Electronic document Stamp:

[STAMP cacdStamp_ID=1020290914 [Date=4/16/2013] [FileNumber=15459120-0
] [9d132f79888f5e1ddef0b6dc4e9fbb8606feaf4f0f298f0983c39181c6a6ae0d86a
971129c3a6b28916e4e2e8df5f8b180ae10fe6ea0c8c187008c23f948bec6]]

Document description:Proposed Order

EXHIBIT 3

Activity in Case 2:12-cv-08397-PSG-MRW Document 54 Filed 06/20/13 Page 8 of 21 Page ID #:278

Star Fabrics Inc v. Sears Roebuck and Co et al Declaration (non-motion)

cacd_ecfmail@cacd.uscourts.gov <cacd_ecfmail@cacd.uscourts.gov>
To: ecfnef@cacd.uscourts.gov

Wed, Apr 17, 2013 at 10:05 AM

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

*****NOTE TO PUBLIC ACCESS USERS***** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

UNITED STATES DISTRICT COURT for the CENTRAL DISTRICT OF CALIFORNIA

Notice of Electronic Filing

The following transaction was entered by Farahmand, Hootan on 4/17/2013 at 10:05 AM PDT and filed on 4/17/2013

Case Name: Star Fabrics Inc v. Sears Roebuck and Co et al
Case Number: 2:12-cv-08397-PSG-MRW
Filer: Star Fabrics Inc
Document Number: 49

Docket Text:

DECLARATION re Order to Show Cause, Terminate Hearings,,,, [46] filed by Plaintiff Star Fabrics Inc. (Farahmand, Hootan)

2:12-cv-08397-PSG-MRW Notice has been electronically mailed to:

Hootan Troy Farahmand htf@htflawfirm.com, emlague@gmail.com

Soohyun Calvin Myung scalvinmyung@sbcglobal.net

2:12-cv-08397-PSG-MRW Notice has been delivered by First Class U. S. Mail or by other means BY THE FILER to :

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:C:\fakepath\Dec of H. Troy Farahmand.pdf

Electronic document Stamp:

[STAMP cacdStamp_ID=1020290914 [Date=4/17/2013] [FileNumber=15460775-0]
] [5bd89dafeb50883061b46173991b9b14bc1bd3088c1de1a915be83de95c42076f2b
1cfe1ce30233512d8721bd41cca30bfdcbb004121bd074b6fb1f074453db4]]

HOOTAN TROY FARAHMAND (SBN: 230345)
3575 Cahuenga Bl. West, #580
Los Angeles, CA 90068
Telephone: (310) 560-0606
Facsimile: (310) 829-0225
Email: Htf@HtfLawFirm.com

Attorneys for Plaintiff
STAR FABRICS, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

STAR FABRICS, INC., a California
corporation,

Plaintiff,

vs.

SEARS ROEBUCK and co.; et al.

Defendants.

Case No. 12-CV-08397-PSG-MRW

**DECLARATION OF HOOTAN TROY
FARAHMAND RESPONDING TO
JUDGES ORDER TO SHOW CAUSE
WHY THE COURT SHOULD NOT
DISMISS WITHOUT PREJUDICE ALL
BUT THE FIRST NAMED
DEFENDANT ON THE GROUNDS OF
IMPROPER JOINDER OF PARTIES**

DECLARATION OF HOOTAN TROY FARAHMAND

I, HOOTAN TROY FARAHMAND, declare as follows:

1 1. I am an attorney licensed to practice law in the state of California and am
2 one of the attorneys of record for Plaintiff Star Fabrics, Inc. in the instant action.

3 2. If called up to testify, I could and would so competently based upon my
4 personal knowledge herein.

5 3. I filed the complaint given they consisted of defendants that were
6 predominantly represented by one counsel Mr. Calvin Myung to hopefully settle
7 them in an expedited and efficient manner.

8 4. Since then we have settled all defendants associated to most of the subject
9 designs except one subject design named 40470 and its associated defendants.
10 (attached hereto as EXHIBIT 1")

11 5. Referencing Exhibit 1 subject design named "60023" and all associated
12 defendants have all been either previously dismissed or there is a depending
13 proposed order pending your honors approval of all the parties. This subject design
14 is referenced in paragraphs 26 through 34 of the original complaint and are now
15 resolved and hereby dismissed

16 6. Referencing Exhibit 1 subject design named "61741" and all associated
17 defendants have all been either previously dismissed or there is a depending
18 proposed order pending your honors approval of all the parties. This subject design
19 is referenced in paragraphs 35 through 45 of the original complaint and are now
20 resolved and hereby dismissed.

21 7. Referencing Exhibit 1 subject design named "401841" and all associated
22 defendants have all been either previously dismissed or there is a depending
23 proposed order pending your honors approval of all the parties. This subject design
24 is referenced in paragraphs 46 through 54 of the original complaint and are now
25 resolved and hereby dismissed.

1 8. Referencing Exhibit 1 print subject design named "60257" and all
2 associated defendants have all been either previously dismissed or there is a
3 depending proposed order pending your honors approval of all the parties. This
4 subject design is referenced in paragraphs 55 through 63 of the original complaint
5 and are now resolved and hereby dismissed.

6 9. The only portion of the case that still remains pending is subject design
7 named "40470" paragraphs 64 to 78 of the original complaint.

8 10. The defendants remaining are only in associated to subject design 40470
9 and are EXPRESSION PLUS, SKU TRADING, INC., IRON PUPPY, 2HEARTS,
10 V GENERATION.

11 11. Given we have not conducted discovery and from the limited information
12 we have plaintiff believes SKU TRADING, INC. sold or was the source of the
13 alleged infringing garments to EXPRESSION PLUS, IRON PUPPY, 2HEARTS.

14 12. V GENERATION also sold garments incorporating subject design 40470
15 and has been served and now is in default. (attached hereto as EXHIBIT 2")

16 13. I respectfully ask the court and his honor to allow plaintiff to continue
17 with the last remaining Subject design named 40470, paragraphs 64 to 78 and the
18 associated defendants EXPRESSION PLUS, SKU TRADING, INC., IRON
19 PUPPY, 2HEARTS, V GENERATION.

20 14. I declare under penalty of perjury under the laws of the United States and
21 the State of California that the foregoing is true and correct to the best of my
22 knowledge.

23
24 Executed on April 17, 2013 at Los Angeles, California

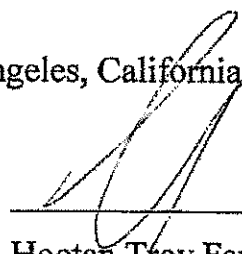
25
26
27 
28 Hootan Troy Farahmand

EXHIBIT 1

E-FILED: 02-13-2013
Link #33

HOOTAN TROY FARAHMAND (SBN: 230345)
3575 Cahuenga Boulevard West – Suite 580
Los Angeles, CA 90068
Telephone: (310) 560-0606
Facsimile: (310) 829-0225
Email: Htf@HtfLawFirm.com

Attorney for Plaintiff STAR FABRICS, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

STAR FABRICS, INC., a California corporation

Plaintiff,

vs.

SEARS ROEBUCK AND CO., a New York
Corporation; et al,

Defendants.

No. 12-CV- 08397-PSG-MRW

~~[PROPOSED]~~ ORDER OF DISMISSAL OF
YOU AND ME NATURALLY, INC. WITH
PREJUDICE

ORDER

Plaintiff and Defendants, being all of the parties of record in this action, having reached a settlement which is reflected in a written settlement agreement, and having stipulated by and through their counsel of record, and the Court having accepted the stipulation of the parties,

IT IS HEREBY ORDERED that YOU AND ME NATURALLY, INC., is, DISMISSED WITH PREJUDICE pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, and that each of the parties shall bear his or its own attorneys' fees and costs.

IT IS SO ORDERED.

Dated: February 13, 2013

PHILIP S. GUTIERREZ
UNITED STATES DISTRICT COURT JUDGE

~~[PROPOSED]~~ ORDER OF DISMISSAL WITH PREJUDICE

LAW OFFICE OF H. TROY FARAHMAND
 HOOTAN TROY FARAHMAND (SBN: 230345)
 3575 Cahuenga Bl. West, #580
 Los Angeles, CA 90068
 Phone (310) 560-0606 / Facsimile: (310) 829-0225

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

STAR FABRICS, INC., a California corporation

Plaintiff(s),

v.

Sears Roebuck and Co., et al.,

Defendant(s).

CASE NUMBER

CV 12-8397 PSG (MRW)

NOTICE OF DISMISSAL PURSUANT
 RULE 41(a) or (c) F.R.Civ.P.

PLEASE TAKE NOTICE: (*Check one*)

- ☐ This action is dismissed by the Plaintiff(s) in its entirety.
- ☐ The Counterclaim brought by Claimant(s) _____ is dismissed by Claimant(s) in its entirety.
- ☐ The Cross-Claim brought by Claimants(s) _____ is dismissed by the Claimant(s) in its entirety.
- ☐ The Third-party Claim brought by Claimant(s) _____ is dismissed by the Claimant(s) in its entirety.
- ☒ ONLY Defendant(s) Sears Roebuck and Co., et al.

is/are dismissed from (*check one*) ☒ Complaint, ☐ Counterclaim, ☐ Cross-claim, ☐ Third-Party Claim brought by Star Fabrics, Inc.

The dismissal is made pursuant to Rule 41(a) or (c) of the Federal Rules of Civil Procedure.

2-12-13

Date

Signature of Attorney/Party

NOTE: F.R.Civ.P. 41(a): This notice may be filed at any time before service by the adverse party of an answer or of a motion for summary judgment, whichever first occurs.

F.R.Civ.P. 41(c): Counterclaims, cross-claims & third-party claims may be dismissed before service of a responsive pleading or prior to the beginning of trial.

LAW OFFICE OF H. TROY FARAHMAND
 HOOTAN TROY FARAHMAND (SBN: 230345)
 3575 Cahuenga Bl. West, #580
 Los Angeles, CA 90068
 Phone (310) 560-0606 / Facsimile: (310) 829-0225

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

STAR FABRICS, INC., a California corporation

Plaintiff(s),

v.

Sears Roebuck and Co., et al.,

Defendant(s).

CASE NUMBER

CV 12-8397 PSG (MRW)


NOTICE OF DISMISSAL PURSUANT
 RULE 41(a) or (c) F.R.Civ.P.

PLEASE TAKE NOTICE: (Check one)

- ☐ This action is dismissed by the Plaintiff(s) in its entirety.
- ☐ The Counterclaim brought by Claimant(s) _____ is dismissed by Claimant(s) in its entirety.
- ☐ The Cross-Claim brought by Claimant(s) _____ is dismissed by the Claimant(s) in its entirety.
- ☐ The Third-party Claim brought by Claimant(s) _____ is dismissed by the Claimant(s) in its entirety.
- ☒ ONLY Defendant(s) OTIMO TEXTILE, INC.; MJC CONNECTION INC., (DBA) MIND CODE; A'GACI, LLC; BIG JOY, INC.; GUNIT FASHIONS, INC.; DISTINCTIVE APPAREL, INC. (DBA) METROSTYLE is/are dismissed from (check one) ☒ Complaint, ☐ Counterclaim, ☐ Cross-claim, ☐ Third-Party Claim brought by Star Fabrics, Inc.

The dismissal is made pursuant to Rule 41(a) or (c) of the Federal Rules of Civil Procedure.

12-19-12
 Date


 Signature of Attorney/Party

NOTE: F.R.Civ.P. 41(a): This notice may be filed at any time before service by the adverse party of an answer or of a motion for summary judgment, whichever first occurs.

F.R.Civ.P. 41(c): Counterclaims, cross-claims & third-party claims may be dismissed before service of a responsive pleading or prior to the beginning of trial.

1 Hootan Troy Farahmand (SBN: 230345)
2 3575 Cahuenga Bl. West, #580
3 Los Angeles, CA 90068
4 Telephone: (310) 560-0606
5 Facsimile: (310) 829-0225
6 Email: Htf@HtfLawFirm.com

7 Attorneys for Plaintiff
8 STAR FABRICS, INC.

9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**

11 STAR FABRICS, INC., a California
12 Corporation,

13 Plaintiff,

14 v.

15 SEARS ROEBUCK and co.,; et al.

16 Defendants.

CASE NO. 12-CV-08397-PSG-MRW

**STIPULATION FOR DISMISSAL
WITH PREJUDICE OF
DEFENDANTS**
Triple Textile, Inc.
Mouris Elyahoozadeh (dba)
Fashion Trends,
Traben USA, Inc.,
CON TE, INC.,
DOWEL TEX, INC., and
Image Boutique

17
18
19
20 **TO THE COURT, ALL PARTIES, AND COUNSEL OF RECORD:**

21
22 **WHEREAS, Plaintiff and Triple Textile, Inc. , a California Corporation,**
23 **Mouris Elyahoozadeh (dba) Fashion Trends, Traben USA, Inc., CON TE,**
24 **INC., DOWEL TEX, INC., and Image Boutique have reached an amicable**
25 **resolution whereby all claims at issue against Triple Textile, Inc. , a**
26 **California Corporation, Mouris Elyahoozadeh (dba) Fashion Trends, Traben**
27 **USA, Inc., CON TE, INC., DOWEL TEX, INC., and Image Boutique have**
28 **fully and finally been resolved;**

1 IT IS HEREBY STIPULATED that Triple Textile, Inc. , a California
2 Corporation, Mouris Elyahoozadeh (dba) Fashion Trends, Traben USA, Inc.,
3 CON TE, INC., DOWEL TEX, INC., and Image Boutique are to be dismissed
4 from this action with prejudice and with each party to bear its own costs and
5 fees incurred therein.

6 SO STIPULATED.

7
8 DATED: 4-16-13

9
10 By: Shahrokh Pazooky

11 President of for Defendant
12 Triple Textile, Inc.

13
14 DATED: 4-16-13

15 H. TROY FARAHMAND

16
17 By: /S/

18 H. TROY FARAHMAND
19 Attorneys for Plaintiff
20 Star Fabrics, Inc.

21 DATED: 4-16-13

22 By: /S/

23 S. CALVIN MYUNG
24 Attorneys for Defendants
25 CON TE, INC.;
26 DOWEL TEX, INC.;
27 Image Boutique
28 Mouris Elyahoozadeh (dba) Fashion
Trends,
Traben USA, Inc.

EXHIBIT 2

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

Star Fabrics Inc

CASE NUMBER

CV 12-08397 PSG (MRWx)

PLAINTIFF(S)

v.

Sears Roebuck and Co et al

**DEFAULT BY CLERK
F.R.Civ.P. 55(a)**

DEFENDANT(S).

It appearing from the records in the above-entitled action that summons has been served upon the defendant(s) named below, and it further appearing from the affidavit of counsel for Plaintiff, and other evidence as required by F.R.Civ.P. 55(a), that each of the below defendants have failed to plead or otherwise defend in said action as directed in said Summons and as provided in the Federal Rules of Civil Procedure:

Now, therefore, on request of counsel, the DEFAULT of each of the following named defendant(s) is hereby entered:

V Generation, a Business Entity of Form Unknown

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Clerk, U. S. District Court

2/26/13

By B. Moss (213) 894-3538

Date

Deputy Clerk

EXHIBIT 4

Activity in Case 2:12-cv-08397-PSG-MRW Star Fabrics Inc v Sears Roebuck and Co et al Text Only Scheduling Notice

cacd_ecfmail@cacd.uscourts.gov <cacd_ecfmail@cacd.uscourts.gov>
To: ecfnf@cacd.uscourts.gov

Wed, Apr 24, 2013 at 5:11 PM

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

NOTE TO PUBLIC ACCESS USERS Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

UNITED STATES DISTRICT COURT for the CENTRAL DISTRICT OF CALIFORNIA

Notice of Electronic Filing

The following transaction was entered on 4/24/2013 at 5:11 PM PDT and filed on 4/24/2013

Case Name: Star Fabrics Inc v. Sears Roebuck and Co et al

Case Number: 2:12-cv-08397-PSG-MRW

Filer:

Document Number: 51(No document attached)

Docket Text:

TEXT ONLY ENTRY IN CHAMBERS by Judge Philip S. Gutierrez: The Order to Show Cause [46] is hereby discharged. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(wm) TEXT ONLY ENTRY

2:12-cv-08397-PSG-MRW Notice has been electronically mailed to:

Hootan Troy Farahmand htf@htflawfirm.com, emlague@gmail.com

Soohyun Calvin Myung scalvinmyung@sbcglobal.net

2:12-cv-08397-PSG-MRW Notice has been delivered by First Class U. S. Mail or by other means **BY THE FILER** to :